

Notice of Allowability

Application No.

09/245,354

Applicant(s)

NOBLET, CHARLES MARIE
HERVE

Examiner

Khanh Tran

Art Unit

2631

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment After Final Rejection filed on 02/16/2005.
2. ☒ The allowed claim(s) is/are 15-20, which are renumbered as claims 1-6.
3. ☒ The drawings filed on 05 February 1999 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

1. The Amendment After Final Rejection filed on 02/16/2005 has been entered.

Claims 15-20 are pending in this Office action.

2. Claims 15-20 are renumbered as claims 1-6.

Response to Arguments

3. Applicant's arguments, see the Remarks, filed on 02/16/2005, with respect to claims 15-20 have been fully considered and are persuasive. The objection of claims 15-20 has been withdrawn.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

4. Regarding claims 15 and 16, claims are allowable over the prior art of record because Applicant amended claims to add allowable features "wherein the second channel is a bootstrap channel comprising a first sub-channel; and a second sub-channel, wherein the re-programming data is downloaded via the first sub-channel, and a signal control for error reduction during communication is performed via the second sub-channel". The closest prior art of record, Seaholtz et al. (US 5,790,952) disclosing "Beacon System Using Cellular Digital Packet Data Communication For Roaming

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Cellular Stations", either singularly or in combination, fails to anticipate or render the above underlined limitations obvious.

5. Regarding claim 17, claim is allowable over the prior art of record because Applicant amended claim to add allowable features "checking if programming of the radio transmitter/receiver is compliant with the parameters indicative of the communication standards supported by the network" and "if the programming of the radio transmitter/receiver is not compliant with the parameters indicative of the communication standards supported by the network, terminating processing of the radio transmitter/receiver" and "if the programming of the radio transmitter/receiver is compliant with the parameters indicative of the communication standards supported by the network, establishing communication between the radio transmitter/receiver and the network on the second channel". The closest prior art of record, Seaholtz et al. (US 5,790,952) disclosing "Beacon System Using Cellular Digital Packet Data Communication For Roaming Cellular Stations", either singularly or in combination, fails to anticipate or render the above underlined limitations obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Tran whose telephone number is 571-272-3007. The examiner can normally be reached on Monday - Friday from 08:00 AM - 05:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on 571-272-3021. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KCT

TESFALDET BOUCURE
PRIMARY EXAMINER